

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-142113-002 DT

12/06/2011

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
T. Henninger
Deputy

STATE OF ARIZONA

JOSEPH WILLIAM WATERS

v.

THEODORE ROOSEVELT HOLLOWAY III
(002)

DANIEL R RAYNAK

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY TWO

Courtroom ECB 412

State's Attorney:	Joseph Waters and Eric Yuva
Defendant's Attorney:	Daniel Raynak
Defendant:	Present

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

11:10 a.m. Trial to Jury continues from December 5, 2011.

Case Agent, Michael Meelhuysen, is present assisting counsel for the State.

Jury Panel B is present.

Both sides announce ready.

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All prospective jurors are sworn on voir dire.

The Court states the nature of the case to be tried and examines the panel collectively and individually.

11:13 a.m. Juror #12 is now present in the courtroom and is sworn on voir dire.

Counsel approach the bench with the Court Reporter and discussion is held out of hearing of the jury panel.

Juror #8 is excused from further consideration in this matter.

Voir dire of prospective jurors continues.

Counsel approach the bench with the Court Reporter and discussion is held out of hearing of the jury panel.

The following jurors are excused from further consideration in this cause:

#'s 14, 6, 15, 5, 7, 13, 12, 9, 16, 18 and 19.

11:43 a.m. The jury panel is admonished and leaves the courtroom.

Juror #11 remains in the courtroom and private voir dire commences.

11:46 a.m. Juror #11 leaves the courtroom.

11:47 a.m. Juror #17 is now present in the courtroom and private voir dire commences.

11:48 a.m. Juror #17 leaves the courtroom.

11:51 a.m. Juror #'s 2, 11 and 17 are now present in the courtroom and are excused from further consideration in this matter.

11:52 a.m. Juror #3 is now present in the courtroom and private voir dire commences.

11:54 a.m. Juror #'s 1, 3, 4 and 10 are now present in the courtroom.

THE COURT INSTRUCTS the jurors to report back to this division at 2:00 p.m. this date.

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11:55 a.m. The Jury Panel is admonished and leaves the courtroom; Court remains in session.

Court and counsel discuss pretrial matters. The State makes a Donald Advisory.

11:57 a.m. Court stands at recess.

1:58 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Case Agent, Michael Meelhuysen, is present assisting counsel for the State.

Jury Panel C is present.

Both sides announce ready.

All prospective jurors are sworn on voir dire.

The Court states the nature of the case to be tried and examines the panel collectively and individually.

Counsel approach the bench with the Court Reporter and discussion is held out of hearing of the jury panel.

The following jurors are excused from further consideration in this cause:

#’s 31, 56, 20, 21, 25, 26, 24, 29, 54, 42, 34, 36, 37, 43, 44, 45, 58, 59, 57, 51, 50, 30 and 41.

2:34 p.m. Juror #’s 1, 3, 4 and 10 from panel B are now present in the courtroom.

Voir dire of prospective jurors continues.

Counsel approach the bench with the Court Reporter and discussion is held out of hearing of the jury panel.

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Juror #3 is excused from further consideration in this matter.

Voir dire of prospective jurors continues.

Counsel approach the bench with the Court Reporter and discussion is held out of hearing of the jury panel.

The following jurors are excused from further consideration in this cause:

#'s 1, 46, 47, 49 and 22.

3:22 p.m. The Jury Panel is admonished and leaves the courtroom; Court remains in session.

Juror #53 remains in the courtroom and private voir dire commences.

3:24 p.m. Juror #53 leaves the courtroom.

Court and counsel discuss matters.

Court and counsel pass the panel.

3:27 p.m. Jury Panel A is now present in the courtroom.

Additional voir dire regarding trial schedule commences.

3:31 p.m. The Jury Panel is admonished and leaves the courtroom; Court remains in session.

3:32 p.m. Court stands at recess.

4:09 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Case Agent, Michael Meelhuysen, is present assisting counsel for the State.

The Jury Panel is not present.

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Court and counsel discuss matters.

4:14 p.m. Jury Panels A, B and C are now present in the courtroom.

Counsel having exercised their peremptory challenges and the jury list having been stricken, the following 14 persons are duly selected and sworn to act as trial jurors in this cause:

Trial Jurors: #7(A), 9(A), 10(A), 22(A), 23(A), 30(A), 34(A), 38(A), 4(B), 23(C), 28(C), 32(C), 33(C) and 38(C).

FILED: Jury List

The remaining jurors are excused by the Court.

The Indictment is read by the Clerk to the Jury and the plea(s) of the Defendant made known to them.

The preliminary instructions are read by the Court to the Jury.

FILED: Preliminary Instructions

The Rule of Exclusion of Witnesses is invoked by the Court.

4:43 p.m. The Jury is reminded of the admonition and leaves the courtroom; Court stands at recess until December 7, 2011 at 10:30 a.m. before this division.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.